

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Odalis Gonzalez

v.

05-cv-252-PB

NH State Prison, Warden

ORDER

I herewith approve the Report and Recommendation of Magistrate Judge Muirhead dated December 2, 2009, no objection having been filed. Additionally, finding that the petitioner has failed to make a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.

December 28, 2009

/s/ Paul Barbadoro

Paul Barbadoro

United States District Judge

cc: Odalis Gonzalez, Pro se